

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

SUNSHINE SIMS, FLOYD HODGES
SUMMER HICKS, bnf Sunshine Sims, &
LILLY HODGES, bnf Sunshine Sims

Plaintiffs,

v.

UNITED STATES OF AMERICA,
Serve: JEFF SESSIONS
950 Pennsylvania Ave NW
Washington DC 25030-0001

and

JEFFREY B. JENSEN
Thomas Eagleton U.S. Courthouse
111 S. 10th Street, 20th Floor
St. Louis, MO 63102

and

TRACY AKERS
Serve at: United States Postal Service
300 W. Pershing Rd. Ste. 212
Kansas City MO 64108-9331

Defendants.

Case No. _____

COMPLAINT

Plaintiff, Sunshine Sims for her cause of action against Defendants state as follows:

1. Plaintiff is a resident of the State of Missouri.
2. Plaintiff brings this action pursuant to 28 U.S.C. § 2671, et seq., the Federal Tort

Claims Act.

3. All administrative remedies have been timely filed, pursued, and exhausted pursuant to 28 U.S.C. § 2671-2675.

4. At all times mentioned herein, Defendant Tracy Akers was an employee of the United States of America and, at all times mentioned herein, was acting within the course and scope of her employment with the United States of America at the time of the incident out of which this suit arises, as a carrier for the United States Postal Service.

5. Defendant Tracy Akers is subject to this Court's supplemental jurisdiction, pursuant to 28 U.S.C. § 1367.

6. On June 23, 2016, Plaintiff was driving South on Vandergriff Rd. at Country Land in Farmington, Missouri, when Defendant United States of America, through its agent, servant and employee Tracy Akers, operating a United States Postal, struck the Plaintiff's vehicle injuring Plaintiff, and the Plaintiff's passengers Floyd Hodges, Summer Hicks, and Lilly Hodges.

7. Said collision occurred as a direct result of the negligence of Defendant United States of America in one or more of the following respects:

- (a) Defendant operated its vehicle at an excessive speed;
- (b) Defendant failed to keep a careful lookout;
- (c) Defendant failed to yield;
- (d) Defendant failed to stop, swerve, slacken speed or sound a warning;
- (f) Defendant failed to instruct Tracy Akers in the rules of the road and proper operation of the vehicle;
- (g) Defendant failed to adequately maintain the vehicle; and
- (h) Defendant failed to adequately supervise Tracy Akers in his operation of the vehicle.

As a direct result of the negligence of Defendants as aforesaid, Plaintiff Sunshine Sims sustained, injury to her neck, arms and back; her injuries are permanent, progressive and disabling; she has lost wages in an amount not yet determined and will in the future lose wages; her ability to work, labor and enjoy life has been and will in the future be impaired, all to her damage.

WHEREFORE, Plaintiff pray judgment against Defendants in an amount that is fair and reasonable, in excess of the minimum jurisdiction of this together with costs expended herein, and for such other relief as the Court considers proper under the circumstances.

COUNT II

Plaintiff, Floyd Hodges, for his cause of action against Defendant, states as follows:

1. Plaintiff restates and incorporates by reference paragraphs 1 through 7 of Plaintiff Sunshine Sim's cause of action.
2. As a direct result of the negligence of Defendant as aforesaid, Plaintiff sustained injuries to his back & neck; his injuries are permanent, progressive and disabling; he has lost wages in an amount not yet determined and will in the future lose wages; his ability to work, labor and enjoy life has been and will in the future be impaired, all to his damage.

WHEREFORE, Plaintiff, Floyd Hodges, prays Judgment against Defendants in an amount that is fair and reasonable under all of the circumstances, and for such other and further relief as this Court deems reasonable and proper.

COUNT III

Plaintiff, Summer Hicks, for her cause of action against Defendant, states as follows:

1. Plaintiff restates and incorporates by reference paragraphs 1 through 7 of Plaintiff Sunshine Sim's cause of action.
2. As a direct result of the negligence of Defendant as aforesaid, Plaintiff sustained injuries

to her back, head, neck and arms; her injuries are permanent, progressive and disabling; her ability to work, labor and enjoy life has been and will in the future be impaired, all to her damage.

WHEREFORE, Plaintiff, Summer Hicks, prays Judgment against Defendants in an amount that is fair and reasonable under all of the circumstances, and for such other and further relief as this Court deems reasonable and proper.

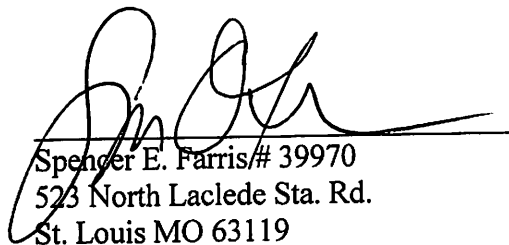
COUNT IV

Plaintiff, Lily Hodges, for her cause of action against Defendant, states as follows:

1. Plaintiff restates and incorporates by reference paragraphs 1 through 7 of Plaintiff Sunshine Sim's cause of action.
2. As a direct result of the negligence of Defendant as aforesaid, Plaintiff sustained injuries to her back, head, neck and arms; her injuries are permanent, progressive and disabling; her ability to work, labor and enjoy life has been and will in the future be impaired, all to her damage.

WHEREFORE, Plaintiff, Lily Hodges, prays Judgment against Defendants in an amount that is fair and reasonable under all of the circumstances, and for such other and further relief as this Court deems reasonable and proper.

THE S.E. FARRIS LAW FIRM



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